

ONE HUNDRED FIFTEENTH CONGRESS
Congress of the United States
House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

March 13, 2018

Received

MAR 20 2018

UMC Administration - CEO

Mr. Mason VanHouweling
Chief Executive Officer
University Medical Center of Southern Nevada
1800 W. Charleston Boulevard
Las Vegas, NV 89102

Dear Mr. VanHouweling:

Pursuant to Rules X and XI of the U.S. House of Representatives, the Committee on Energy and Commerce is investigating the availability of sexual assault forensic exams at hospitals across the United States.

In 2016, the U.S. Government Accountability Office (GAO) published a report entitled "Sexual Assault: Information on Training, Funding, and the Availability of Forensic Examiners." According to the GAO, a sexual assault forensic exam, also known as a "rape kit," may be performed by a specially trained Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE), or by a medical professional that lacks SAFE training. However, rape kits collected by professionals with SAFE/SANE training ("SAFE rape kits") "may result in shortened exam time, better quality health care delivered to victims, higher quality forensic evidence collection, [and] better collaboration with the legal system and higher prosecution rates."¹ The GAO found that in each of the six states examined, the number of SANEs "does not meet the need for exams within their states."²

Not all hospitals employ SANEs or provide SAFE rape kits to patients,³ and there are no federal requirements regarding the availability of SANEs in health care facilities.⁴ According to the GAO, a Joint Commission accreditation standard requires that hospitals "establish policies

¹ U.S. Gov't Accountability Office, *Sexual Assault: Information on Training, Funding, and the Availability of Forensic Examiners*, GAO-16-334 (March 2016), at 1-2.

² *Id.* at 23.

³ *What is a Rape Kit?*, RAINN, <https://www.rainn.org/articles/rape-kit>

⁴ U.S. Gov't Accountability Office, *Sexual Assault: Information on Training, Funding, and the Availability of Forensic Examiners*, GAO-16-334 (March 2016), at 8.

for identifying and assessing possible victims of sexual assault and to train staff on those policies, [but] each hospital is responsible for determining the level of specificity of such policies, including the minimum level of training required of its medical staff that performs exams.”⁵ In other words, hospitals may simply choose not to provide these services.

Indeed, according to recent news reports, victims of sexual assault often have trouble obtaining a rape kit.⁶ Moreover, GAO found that the lack of SANEs can be particularly acute in rural areas, where there may be just one SANE or one SANE program to serve multiple counties, and a patient may have to travel several hours to reach a facility that offers SAFE rape kits.⁷ However, the issue is not isolated to rural areas.⁸ In some metropolitan areas, including Washington, DC and Las Vegas, NV, there may be only one facility that provides SAFE rape kits.⁹ As such, a rape victim must go to that specific hospital to get the most appropriate treatment.

Data on the availability of SANEs and SAFE rape kits nationwide is limited.¹⁰ According to the Department of Justice, the most comprehensive database on SAFE facility locations is administered by the International Association of Forensic Nurses (IAFN). However, this database is based on self-reporting by facilities with SAFE programs, and as such, is incomplete. The IAFN database lists as few as two locations in some states, including Connecticut, Hawaii, Mississippi, South Dakota, and Wyoming. IAFN estimates that between 13 and 15 percent of hospitals in the United States provide SAFE rape kits. It is not clear what happens to a victim of sexual assault if he or she visits one of the roughly 85 percent of hospitals that do not provide these vital services.

Accordingly, the committee is interested in learning more about how hospitals treat patients seeking treatment and evidence collection following a sexual assault. Please provide written answers to the following questions by March 27, 2018.

⁵ *Id.* at 9.

⁶ *At Least Half of Rape Victims in SC Aren't Seen by a Sexual Assault Nurse*, GREENVILLE NEWS (July 20, 2017), <https://www.greenvilleonline.com/story/news/2017/07/20/sexual-assault-nurses-short-supply/492935001/>; *Lawmakers Want Easier Access to Rape Kits*, COLUMBIA BASIN HERALD (Jan. 29, 2018), http://www.columbiabasinherald.com/local_news/20180129/lawmakers_want_easier_access_to_rape_kits; *Why Did It Take Nine Hours and Three Emergency Rooms For This Woman to Get a Rape Kit?*, COSMOPOLITAN, <http://www.cosmopolitan.com/politics/a58941/dinisha-ball-rape-kit-texas-emergency-room/>.

⁷ U.S. Gov't Accountability Office, *Sexual Assault: Information on Training, Funding, and the Availability of Forensic Examiners*, GAO-16-334 (March 2016), at 23. *See also*, *You have to drive an hour for a rape kit in rural America*, The Washington Post, https://www.washingtonpost.com/news/wnk/wp/2016/04/19/you-have-to-drive-an-hour-for-a-rape-kit-in-rural-america/?utm_term=.29e3af0fe722 (April 19, 2016); *Where Are The Rape Kit Nurses?*, New York Times, <https://www.nytimes.com/2017/06/20/opinion/rape-kit-nurses.html> (June 20, 2017).

⁸ U.S. Gov't Accountability Office, *Sexual Assault: Information on Training, Funding, and the Availability of Forensic Examiners*, GAO-16-334 (March 2016), at 24.

⁹ *Why Are There No Rape Kits at the George Washington University*, WJLA, <http://wjla.com/news/education/rape-kits-at-the-george-washington-university-9776> (March 25, 2011); *Where Are The Rape Kit Nurses?*, New York Times, <https://www.nytimes.com/2017/06/20/opinion/rape-kit-nurses.html> (June 20, 2017).

¹⁰ U.S. Gov't Accountability Office, *Sexual Assault: Information on Training, Funding, and the Availability of Forensic Examiners*, GAO-16-334 (March 2016), at 21.

1. Does the University Medical Center of Southern Nevada employ SANEs or SAFE-certified medical professionals?
2. If the University Medical Center of Southern Nevada does employ SANEs,
 - a. When did the University Medical Center of Southern Nevada begin employing SANEs?
 - b. How many SANE or SAFEs does the University Medical Center of Southern Nevada employ?
 - c. How were SANEs trained?
 - d. During what days and hours are SANEs available at the University Medical Center of Southern Nevada?
 - e. Is the University Medical Center of Southern Nevada listed on the IAFN database?
 - f. What is the annual cost of administering the SANE program at the University Medical Center of Southern Nevada? Please explain what is covered by this cost, such as the cost of SANE training, SANE salaries, and victim services. Please provide the cost for 2017, 2016, and 2015.
 - g. What grants, if any, has the University Medical Center of Southern Nevada applied for or accepted to fund any programs related to the training of SANEs or treatment of sexual assault victims?
3. If the University Medical Center of Southern Nevada does not employ SANEs, does the University Medical Center of Southern Nevada provide rape kits by non-SANEs?
 - a. If so, who conducts those kits?
 - b. How are these medical professionals trained to collect those kits?
4. If a sexual assault victim comes to the University Medical Center of Southern Nevada requesting treatment and/or a rape kit following an assault, what procedures are in place at the University Medical Center of Southern Nevada to treat that victim? If the University Medical Center of Southern Nevada does not conduct a rape kit, SAFE certified or not, please include whether the University Medical Center of Southern Nevada has a relationship or agreement with another facility that does provide those services.
5. Does the University Medical Center of Southern Nevada track any data on sexual assault, such as the number of sexual assault victims treated each year, how many rape kits are requested, and how many rape kits are completed?

Thank you for your prompt attention to this matter. If you have any questions regarding this request, please contact Brighton Haslett with the Majority Committee staff at (202) 225-2927.

Sincerely,



Greg Walden
Chairman



Gregg Harper
Chairman
Subcommittee on Oversight
and Investigations

cc: The Honorable Frank Pallone, Jr., Ranking Member

The Honorable Diana DeGette, Ranking Member
Subcommittee on Oversight and Investigations

Attachment

March 26, 2018

RE: Response to letter dated March 13, 2018; Request for information on SANE/SAFE practices at University Medical Center of Southern Nevada

Per your request, please see answers in **RED**.

1. Does the University medical Center of Southern Nevada (UMCSN) employ SANEs or SAFE-certified professionals? **UMCSN's ER provider group, USACS, contracts with an outside vendor that provides SANE certified professional to conduct rape kit investigations. The vendor, Rose Heart, conducts all sexual assault exams performed at UMCSN.**
2. If the University Medical Center of Southern Nevada does employ SANEs,
 - a. When did the University of Southern Nevada begin employing SANEs? **Approximately 1998**
 - b. How many SANE or SAFE does the University Medical Center of Southern Nevada employ? **Rose Heart, the vendor for SANE exams, employs 2 SANE certified nurses**
 - c. How were SANEs trained? **SANE nurses are trained according to IAFN curriculum.**
 - d. During what days and hours are SANEs available at the University Medical Center of Southern Nevada? **On call 24x7**
 - e. Is the University Medical Center of Southern Nevada listed on the IAFN database? **NO**
 - f. What is the annual cost of administering the SANE program at the University Medical Center of Southern Nevada? Please explain what is covered by this cost, such as the cost of SANE training, SANE salaries, and victim services. Please provide the cost for 2017, 2016, and 2015. **Unknown**
 - g. What grants, if any, has the University Medical Center of Southern Nevada applied for or accepted to fund any programs related to the training of SANEs or treatment of sexual assault victims? **NONE**

3. If the University Medical Center of Southern Nevada does not employ SANEs, does the University Medical Center of Southern Nevada provide rape kits by non-Sanes?
 - a. If so, who conducts those kits? **N/A**
 - b. How are the medical professionals trained to collect those kits? **N/A**
4. If a sexual assault victim comes to the University Medical Center of Southern Nevada requesting treatment and/or a rape kit following an assault, what procedures are in place at the University Medical Center of Southern Nevada to treat that victim? If the University Medical Center of Southern Nevada does not conduct a rape kit, SAFE certified or not, please include whether the University Medical Center of Southern Nevada has a relationship or agreement with another facility that does provide those services. **The victim is checked in through the Emergency Department and taken to a private, quite room. At that point, the SANE nurse is called and they complete the interview, medical and forensic exams. If there are any additional injuries or problems noted during those exams, care can be escalated to an Emergency Department Physician, if necessary. The victim is also given information to the Las Vegas Rape Crisis Center, and the center's resources are available while the victim is still a patient at UMCSN.**
5. Does the University Medical Center of Southern Nevada track any data on sexual assault, such as the number of sexual assault victims treated each year, how many rape kits are requested, and how many rape kits are completed? **That information is all tracked by Rose Heart, Inc.**

Should you require further assistance, please do not hesitate to contact Hollie Thornton (702) 383-3862.

Sincerely,



Deb Fox
Chief Nursing Officer
UMCSN